United Nations S/RES/1866 (2009)

Security Council

Distr.: General
13 February 2009

Resolution 1866 (2009)

Adopted by the Security Council at its 6082nd meeting, on 13 February 2009

The Security Council,

Recalling its previous resolutions, including resolutions 1808 (2008) of 15 April 2008 and 1839 (2008) of 9 October 2008,

Considering the report of the Secretary-General of 4 February 2009 (S/2009/69),

Welcoming the six-point agreement of 12 August 2008, and subsequent implementing measures of 8 September 2008,

Taking note of the Geneva discussions commenced on 15 October 2008 and *encouraging* the participants to reach practical results,

Underlining the importance of the peaceful resolution of disputes,

1. *Recalls* the arrangements entered into under the agreements of 12 August 2008 and of 8 September 2008;

2. *Calls for* the provisions that were set out in paragraph 2 (a) of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994 (S/1994/583) to be respected, pending consultations and agreement on a revised security regime, *taking note* of the recommendations on the security regime contained in the report of the Secretary-General of 4 February 2009;

3. *Underlines* the need to refrain from the use of force or from any act of ethnic discrimination against persons, groups of persons or institutions, and to ensure, without distinction, the security of persons, the right of persons to freedom of movement and the protection of the property of refugees and displaced persons;

4. *Calls for* facilitating, and refraining from placing any impediment to, humanitarian assistance to persons affected by the conflict, including refugees and internally displaced persons, and *further calls* for facilitating their voluntary, safe, dignified and unhindered return;

5. *Calls for* the intensification of efforts to address the issue of regional security and stability, and the issue of refugees and internally displaced persons, through the discussions currently under way in Geneva, and *requests* the Secretary-General, through his Special Representative, to continue to fully support this process, and to report on progress thereon;

09-23826 (E)

6. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, and on the situation on the ground and the activities of the United Nations mission, including recommendations on future activities by 15 May 2009;

7. *Expresses* its intention to outline the elements of a future United Nations presence in the region by 15 June 2009, taking into account the recommendations to be contained in the report of the Secretary-General referred to in paragraph 6, the Geneva discussions and developments on the ground;

8. *Decides* to extend the mandate of the United Nations mission for a new period terminating on 15 June 2009;

9. *Decides* to remain actively seized of the matter.

United Nations S/RES/1867 (2009)

Security Council

Distr.: General
26 February 2009

Resolution 1867 (2009)

Adopted by the Security Council at its 6086th meeting, on 26 February 2009

The Security Council,

Reaffirming all its previous resolutions and statements on the situation in Timor-Leste, in particular its resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006, 1704 (2006) of 25 August 2006, 1745 (2007) of 22 February 2007 and 1802 (2008) of 25 February 2008,

Welcoming the report of the Secretary-General of 4 February 2009 (S/2009/72),

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Welcoming the improvements in the political and security situation in Timor-Leste, which has recovered from the 2006 crisis and the events of 11 February 2008, and *noting* that the current political and security situation, although generally calm, remains fragile,

Welcoming the Government sponsored six-week nationwide weapons collection campaign which ended on 31 August 2008 with the support of the United Nations Integrated Mission in Timor-Leste (UNMIT) and the international security forces and the destruction of the collected weapons on the United Nations Day of that year,

Commending the political leadership and state institutions of Timor-Leste for restoring and securing stability, and *welcoming* the return of a significant number of internally displaced persons and the disbandment of the "petitioners" group, while *recognizing* the importance of additional measures to achieve meaningful reconciliation and their reintegration into their respective communities,

Reiterating its call on the leadership and other stakeholders in Timor-Leste to continue to pursue peaceful dialogue and to avoid violent means to resolve differences,

09-25024 (E)

Welcoming the efforts of the political leadership of Timor-Leste to create opportunities for all the political parties to make contributions to issues of national interest,

Reaffirming the need for respect for the independence of the judiciary and its responsibility, *welcoming* the conviction of the leaders of Timor-Leste on the need for justice and their determination to act against impunity, and in this regard *acknowledging* the serious resource constraints of the judicial system and *encouraging* the leadership of Timor-Leste to continue efforts to establish accountability for serious criminal offences committed during the 2006 crisis as recommended by the Independent Special Commission of Inquiry,

Recalling its previous statements on the need to implement fully the "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Policia Nacional de Timor-Leste (PNTL) and the Ministry of Interior", concluded between the Government of Timor-Leste and UNMIT on 1 December 2006, and in this regard, *stressing* the need for constructive engagement between UNMIT police and the PNTL with a view to developing the capacity and capability of the national police,

Expressing its full support for the role of the international security forces in assisting the Government of Timor-Leste and UNMIT, in the restoration and maintenance of law and stability, in response to the requests of the Government of Timor-Leste,

Expressing concern with the increase in poverty among the Timorese population, as indicated in the report of the Secretary-General, and underlining the importance of continued support for socio-economic development of Timor-Leste,

Recalling that while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contribute to these challenges, *paying tribute* to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development, and *recognizing* the progress being made in the development of many aspects of governance in Timor-Leste,

Reaffirming its resolutions 1325 (2000) and 1820 (2008) on women, peace and security, and 1502 (2003) on the protection of humanitarian and United Nations personnel, and *welcoming* the cooperation of UNMIT with other United Nations partners to support the Government's effort to develop a national gender equality policy and strategy,

Recognizing the important role that UNMIT continues to play in promoting peace, stability and development in Timor-Leste, and *expressing* its appreciation for the efforts of UNMIT and the United Nations Country Team, under the leadership of the Special Representative of the Secretary-General (SRSG),

1. *Decides* to extend the mandate of UNMIT until 26 February 2010 at the current authorized levels;

2. *Urges* all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and consolidate peace, democracy, rule of law, sustainable social and economic development, advancement

of protection of human rights and national reconciliation in the country, and *reaffirms* its full support for the continued efforts of the SRSG aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes, including the expanded High-Level Coordination Committee and the Trilateral Coordination Forum;

3. *Requests* UNMIT to extend the necessary support, within its current mandate, for local elections currently planned for 2009, responding to the request from the Government of Timor-Leste, and *encourages* the international community to assist in this process;

4. *Reaffirms* the continued importance of the review and reform of the security sector in Timor-Leste, in particular the need to delineate between the roles and responsibilities of the Falintil-Forças de Defesa de Timor-Leste (F-FDTL) and the PNTL, to strengthen legal frameworks, and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests UNMIT to continue to support the Government of Timor-Leste in these efforts;

5. *Supports* the gradual resumption of policing responsibilities by the PNTL beginning in 2009 through a phased approach, while emphasizing that the PNTL must meet the criteria mutually agreed between the Government of Timor-Leste and UNMIT as set out in paragraph 21 of the report of the Secretary-General to guarantee the PNTL's readiness for the resumption of such responsibilities in any given district or unit, and *requests* the Government of Timor-Leste and UNMIT to cooperate with each other to implement the resumption process, and requests UNMIT to continue to ensure, through the presence of UNMIT police component and the provision of support to the PNTL, the maintenance of public security in Timor-Leste, which includes interim law enforcement and public security until the PNTL is fully reconstituted;

6. *Underscores* the need for the concept of operations and rules of engagement to be regularly updated as necessary and to be fully in line with the provisions of this resolution, and *requests* the Secretary-General to report on them to the Security Council and troop and police contributing countries within 90 days after the adoption of this resolution;

7. *Requests* UNMIT, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the PNTL with a view to enhancing its effectiveness, including with respect to addressing the special needs of women;

8. *Reaffirms* the importance of ongoing efforts to achieve accountability and justice, and *underlines* the importance of the implementation by the Government of Timor-Leste of the recommendations of the United Nations Special Commission of Inquiry report of 2006 (S/2006/822), including paragraphs 225 through 228 of the report;

9. *Underlines* the importance of a coordinated approach to the justice sector reform, based on needs assessment, and the ongoing need to increase Timorese ownership and strengthen national capacity in judicial line functions, including the training and specialization of national lawyers and judges;

10. *Emphasizes* the need for sustained support of the international community to Timor-Leste to develop and strengthen its institutions and further build capacities in the justice sector;

11. *Requests* UNMIT to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry;

12. *Calls upon* UNMIT to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building;

13. *Takes note* of the Timor-Leste National Recovery Strategy and the Government's declaration of 2009 as the year of infrastructure, rural development and human resources capacity development, and in this regard, *calls upon* UNMIT to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste and relevant institutions in designing poverty reduction, promotion of sustainable livelihood and economic growth policies;

14. *Encourages* the Government of Timor-Leste to strengthen peacebuilding perspectives in such areas as integration of internally displaced persons, employment and empowerment, especially focusing on rural areas and youth, as well as local socio-economic development including agricultural activities;

15. *Requests* UNMIT to fully take into account gender considerations as set out in Security Council resolutions 1325 (2000) and 1820 (2008) as a cross-cutting issue throughout its mandate, and *further requests* the Secretary-General to include in his reporting to the Security Council progress on gender mainstreaming throughout UNMIT and all other aspects relating to the situation of women and girls, especially on the need to protect them from gender-based violence, detailing special measures to protect women and girls from such violence;

16. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance by UNMIT with the United Nations zero tolerance policy on sexual exploitation and abuse and to keep the Council informed, and *urges* those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

17. *Further requests* the Secretary-General to keep the Security Council regularly informed of the developments on the ground, including those related to preparation for the planned local elections, and on the implementation of this resolution, including in particular progress on transfer of the policing responsibility from UNMIT to the PNTL, and to submit to the Security Council, no later than 30 September 2009, a report reviewing, inter alia, the resumption of policing responsibilities by the PNTL, and, no later than 1 February 2010, a report which includes possible adjustments in UNMIT's mandate and strength;

18. *Welcomes* the work undertaken by the Secretary-General and the Government of Timor-Leste to develop a medium-term strategy and establish benchmarks for measuring and tracking progress in Timor-Leste, and assessing the level and form of United Nations support while keeping the benchmarks under active review, and *underlines* the importance of ownership of the strategy by the leaders and people of Timor-Leste in this process;

19. *Decides* to remain seized of the matter.